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In The District Court of the State of Delaware  
In And For New Castle County

Bruce L Waples

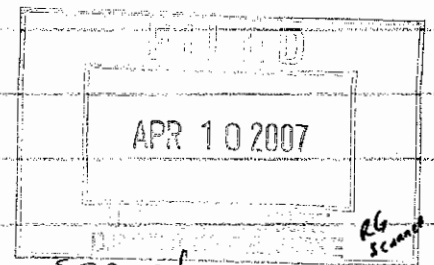
Plaintiff

v.

CASE NO<sup>#</sup> 0610029325 200

State of Delaware

Defendant



Habeas Corpus pursuant to 28 USC §2254

Claims of Insufficient Evidence

SEE: JACKSON V. VA, 443 U.S. 307, 319 (1979)

Habeas Corpus Relief GRANTED For Insufficient Evidence because Prisoner showed that NO RATIONAL TRIER OF FACT, viewing Evidence in light most FAVORABLE to prosecution, "Could have Found The essential Elements of The Crime beyond A reasonable doubt!"

Common Habeas Corpus Claims include

Sixth Amendment Claim of Ineffective Assistance of Counsel SEE: Strickland v. Washington 466 US 687 (1984) Claims of ineffective Assistance of Counsel must show that Counsel's Performance was deficient And Counsel's ERRORS Prejudiced defense to the extent That Petitioner was deprived a fair trial See E.g. Ouber v. Guarino 293 F.3d 19, 35, 36 (1st Cir 2002)

Holsclaw v. Smith 822 F.2d 1041 (11th Cir. 1987)

Trial Counsel's Failure to raise issue of insufficient evidence at end of trial or move for dismissal based on insufficient evidence, constituted ineffective assistance of counsel.

Bugas v. US, 153 F3d 439 (7th Cir 1998)

Insufficiency of evidence raises a constitutional issue, which is cognizable on collateral review.

QUATARAO V. HANSLMAIER, 28 F Supp 2d 749 (EDNY 1998)

Where the evidence was insufficient to support conviction for second-degree murder habeas corpus relief was granted.

Whaley v. Thompson 22 F Supp 2d 1146 (D.Or. 1998)

Where the evidence was insufficient to sustain aggravated kidnapping conviction under Oregon law, habeas corpus relief was warranted pursuant to 28 U.S.C. § 2254

Lewis v. Johnson, 359 F.3d 646, 661 (3d Cir 2004)

(Ineffective Assistance because counsel failed to consult expert, conduct research, and request copies of studies relied on by expert witness)

MAPES V. TATE, 388 F.3d 187, 192 (6th Cir 2004)

Ineffective Assistance because counsel failed to investigate potentially mitigating evidence

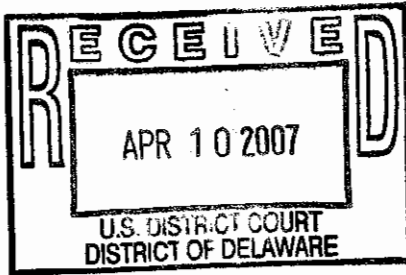
Wherefore! for the ongoing reason I request a immediate release

4-5-07

Respectfully Submitted  
Burt W. Pro-SE

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MS District Court

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